

LEWIS & LIN LLC

77 SANDS STREET, 6TH FLOOR

BROOKLYN, NY 11201

TEL: (718) 243-9323 FAX: (718) 243-9326

WWW.ILAWCO.COM

PARTNERS

Brett E. Lewis

David D. Lin

SENIOR COUNSEL

Nicole Haff

OF COUNSEL

Eric Belanger

Roberto Ledesma

ASSOCIATES

Michael D. Cilento

Anna Iskikian

Jane J. Jaang

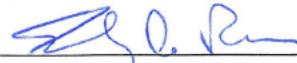
Rachel Ann Niedzwiedek

Savita Sivakumar

Shuyu Wang

MEMO ENDORSED

The application is X granted
____ denied



Edgardo Ramos, U.S.D.J

Dated: October 28, 2024

New York, New York

October 25, 2024

VIA ECF

The Honorable Edgardo Ramos

Courtroom 619

Thurgood Marshall U.S Courthouse

40 Foley Square

New York, NY 10007

*Re: Global Refining Group, Inc., et al, v. Savage Software Corp., et. al.,
1:23-cv-01331-ER*

Dear Judge Ramos:

Plaintiffs Global Refining Group, Inc. and Alpha Recycling, Inc. (collectively, “Plaintiffs”) in the above-captioned case respectfully submit this letter motion for approval to file two documents containing proprietary information relating to Plaintiffs’ trade secrets under seal. Pursuant to the parties’ Settlement Agreement and Consent Decree, so ordered by the Court on October 18, 2024 (ECF No. 111), Plaintiffs agreed to provide Defendants Joe Petti and Savage Software Corp. (the “Savage Defendants”) documents that define Plaintiffs’ trade secret “data” that the Savage Defendants have agreed they will not use. Thus, Plaintiffs seek to file unredacted, sealed versions of the Declaration of Iga Wolotowski and Plaintiffs’ Supplemental Response to Defendants’ Interrogatory No. 1, previously served on counsel for the Savage Defendants on May 16, 2024, under the Court’s Protective Order (ECF No. 86), that provide a thorough definition of Plaintiffs’ trade secret data.

The presumption in the Second Circuit is that the public has a right to view “judicial documents,” and a court must make the determination to seal documents “on the basis of a careful, document-by-document review of the particular portions of the document which a party wishes to be kept under seal and after considering whether the requested order is no broader than necessary to serve the interests which require protection.” *Imig, Inc. v. Omi Elec. Appliance Company Co.*, No. CV 16-628 (AKT), 2021 WL 9628853, at *1 (E.D.N.Y. Jan. 11, 2021). Courts discourage blanket sealing of entire documents, and consider whether the proposed

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redactions are narrowly tailored as necessary to prevent the unauthorized dissemination of sensitive business information, and to avoid competitive disadvantage. *See Hesse v. Sungard Sys. Int'l*, No. 12-cv-1990, 2013 WL 174403, at *2 (S.D.N.Y. Jan. 4, 2013) (allowing redaction of sensitive client information and proprietary business information in email exhibits filed with the court); *Volino v. Progressive Cas. Ins. Co.*, No. 1:21-CV-06243-LGS, 2023 WL 4636204, at *1 (S.D.N.Y. July 20, 2023) (allowing narrowly tailored redaction of sensitive financial data and confidential information derived from company's officer's deposition that was not at issue in the litigation). Here, Plaintiffs seek to provide the Savage Defendants with a definition of their trade secrets for the sole purpose of ensuring compliance with the Consent Decree. Filing documents defining Plaintiffs' trade secrets publicly would be antithetical to Plaintiffs' goal of keeping their trade secret information secret. There is no public interest in accessing such proprietary information, as it was developed by Plaintiffs solely with Plaintiffs' company resources to maintain and strengthen their competitive advantage in the catalytic converter database business. *See Volino*, 2023 WL 4636204, at *5 (finding no public interest in accessing non-public business information regarding the company product).

For the foregoing reasons, Plaintiffs respectfully request that this Court permit the sealed filing of the Declaration of Iga Wolotowski and Plaintiffs' Supplemental Response to Defendants' Interrogatory No. 1, previously served on counsel for Savage Defendants on May 16, 2024, attached to this letter under seal pursuant to 3(ii) of Individual Practices of Judge Ramos.

Respectfully submitted,

By: /s/Brett E. Lewis
Brett E. Lewis, Esq.

LEWIS & LIN LLC
77 Sands St, 6th Floor
Brooklyn, NY 11201
Tel: (718) 243-9323
Fax: (718) 243-9326
Email: Brett@ilawco.com

Attorneys for Plaintiffs